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SUPREME COURT COMMITTEE HOLDS FORUM ON IMPROVING CIVILITY AMONG LAWYERS

A special committee of the Supreme Court of Illinois, with the aid of the Illinois State Bar Association (ISBA), continued its statewide series of meetings Wednesday with a meeting of lawyers and judges in Champaign on ways to improve civility among lawyers and enhance the public image of the legal profession.

About 60 representatives of the legal profession were to participate in a forum at the University of Illinois College of Law on Wednesday, November 19. Similar forums have already been held in Peoria, Carbondale and Collinsville. Others are planned in Chicago, Rock Island, Springfield, DeKalb, Joliet and Oak Brook.

The forums are an effort by the Special Supreme Court Committee on Professionalism to find ways to help improve civility among lawyers. Another initiative by the Committee involved justices of the Supreme Court addressing incoming students at all the law schools in Illinois on the importance of professional conduct, and administering to the new law students an oath of professionalism.

“You hear a lot about how the practice of law is different now that it was in days past when a lawyer’s handshake meant something and a lawyer’s word was his bond,” said Justice Robert R. Thomas, who initiated the idea for the committee among his colleagues on the Court and who serves as Supreme Court liaison with the Committee. “That may be an oversimplification. But in this day and age with competition in the profession for dollars and clients, activities sometimes degenerate into a Rambo-style, win-at-all cost attitude by attorneys.”

David Rolewick, a Wheaton attorney who is chairperson of the Committee; Terrence Lavin of Chicago, president of the Illinois State Bar Association; Jenny H. Park of the Champaign County Bar Association; and Catherine Barbercheck, president of the East Central Illinois Women’s Attorneys Association, welcomed the participants to the forum in Champaign.

The participants will discuss what constitutes professionalism and civility in the practice of law, whether and where problems lie and study hypothetical scenarios keyed to lawyers’ behavior in

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practical situations. The input from the meeting will be gathered with that from the other meetings and molded into proposals that will be presented to the Supreme Court for possible adoption.

One of the concepts behind the committee is to set a bar of voluntary behavior that is higher than that required by the Code of Conduct for lawyers, which is enforced by disciplinary sanctions.

“Professional conduct should not be considered the bottom threshold or floor of acceptable conduct, but instead it should be aspirational conduct that will lift our profession in the eyes of the public and to our own colleagues,” said Chief Justice Mary Ann G. McMorrow. “While professionalism is a higher standard expected of all lawyers, it imposes no official sanctions and offers no official reward.

“Yet, what is a greater sanction than loss of respect among your peers and judges? What is a greater reward than the self-satisfaction of doing the right thing for its own sake?” Chief Justice McMorrow asked.

Mr. Rolewick said that one of the reasons why attorneys may be engaging in rogue tactics is because their clients expect them to.

“Something that may be addressed by this committee is the issue of the public perception of the profession,” said Mr. Rolewick. “The general public wants, because they’ve been watching TV too much, the meanest junkyard dog that they can get, and they think they’re going to win if they hire the meanest, toughest lawyer they can get.”

Mr. Rolewick lauded the cooperation of the ISBA in helping to arrange the forums, and Mr. Lavin of the ISBA lauded the commitment of the Supreme Court in trying to improve civility among lawyers.

“This is not a pervasive problem by any means,” said Mr. Lavin. “The vast majority of lawyers engage in their professional pursuits everyday in a very professional manner. But all of us can do better. The Supreme Court has shown very strong leadership and a very firm commitment in trying to make sure civility among lawyers and with their clients is a hallmark of the profession in Illinois.”

The Special Committee was formed by the Court in November 2001.

(FOR MORE INFORMATION: Contact Joseph Tybor, press secretary to the Illinois Supreme Court at 312-793-2323 or David Anderson, ISBA assistant executive director at 217-416-1425)